

29 March 2012

Our ref: 48638

Your ref: Scarborough, North Bay asset refurbishment scheme



Jamie Gardiner
Royal Haskoning UK Ltd

By email

Dear Jamie

Iron Scar and Hundale Point to Scalby Ness SSSI

Option-choice advice to the Scarborough Borough Council: North Bay sea wall refurbishment scheme, Scarborough.

Project Appraisal Report for asset ref: 1221D901D1201C24 (drawing NB01)

Following the information received from Royal Haskoning Ltd. regarding this proposal, we write to confirm that it is Natural England's view that **the proposal is likely to lead to an environmentally acceptable solution**. Furthermore, based on the information available to date, Natural England anticipates that the proposal is not likely to have a significant effect on a European or Ramsar site and therefore is **not likely to require an appropriate assessment** under the of Habitats and Species Regulations 2010.

Since this proposal is within the vicinity of the SSSI named above, we stress that this letter does not constitute Natural England's assent or advice for the purposes of section 28H of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). When details of the proposed operation become available, and before carrying it out, the operating authority, having considered its general duty under section 28G(2) of the Wildlife and Countryside Act 1981, is required to give notice to Natural England. The operating authority is required to carry out the operation in accordance with the provisions of section 28H of the Wildlife and Countryside Act 1981 as the proposed operation is within the vicinity of Iron Scar and Hundale Point to Scalby Ness SSSI. The Environmental Report does not identify any effects on the SSSI and in this case we are satisfied with this conclusion at this stage in the process.

This advice is offered based on the information provided to date. It is given without prejudice to any advice that Natural England may offer in accordance with its statutory role under the Conservation of Habitats and Species Regulations 2010, or any assent that may be required under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). Formal comment on the proposal will be provided following consultation on the Environmental Statement as required under the relevant Regulations. We look forward to receiving further information as the proposal is developed.

Summary of Natural England's advice at the option choice stage	Answer only yes or no
Is the proposal likely to lead to an environmentally acceptable solution?	yes
Is the proposal likely to require an appropriate assessment under Habitats Regulations?	no

Yours sincerely

A handwritten signature in black ink that reads "S. Wilson." The signature is written in a cursive, slightly informal style.

Susan Wilson
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Land Use Operations
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